

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TAM C. NGUYEN	:	CIVIL ACTION
	:	
	:	
v.	:	NO. 09-4977
	:	
LOUIS FOLINO, et al	:	
Defendant	:	

O R D E R

AND NOW, this 29th day of June, 2011, upon *de novo* consideration of the Petition for Writ of Habeas Corpus filed under 28 U.S.C. § 2254, and the Response thereto, and after review of the thorough and well-reasoned Report and Recommendation of United States Magistrate Judge L. Felipe Restrepo and the petitioner's objections to the Report and Recommendation, it is hereby ORDERED that:

1. Petitioner's objections to the Report and Recommendation are OVERRULED;
2. The Report and Recommendation is APPROVED and ADOPTED.
3. The petition for Writ of Habeas Corpus is DENIED.
3. A certificate of appealability shall not issue since, for the reasons set forth in the Report and Recommendation, petitioner has not made a substantial showing of the denial of a constitutional right.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.